

Remarks

By this amendment, claims 1, 5, 6, 9, 10, 13, 18-21, 24, 26, 28 and 29 has been amended. Unelected claims 34 and 35 have been cancelled without prejudice or disclaimer. Therefore, claims 1-33 are pending. Support for the instant amendments is provided throughout the as-filed application. Thus, it is believed no new matter has been added. In view of the following comments, allowance of all the claims pending in the application is respectfully requested.

Rejection Under 35 U.S.C. §103

Claims 1-28 and 30-32 were rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0167782 to Andelman et al. ("Andelman"). Applicant traverses.

Applicant respectfully submits that the cited portions of Andelman fail to disclose or teach a flow-through capacitor system comprising a plurality of flow-through capacitor cells, each of said plurality of cells in electrical communication with one charge cycle sequence controller wherein the system is constructed and arranged so that the charge sequence controller individually controls charging of each of said plurality of cells, as recited in claim 1.

It does not appear that the cited portions of Andelman disclose or teach that the logic means 42 is capable of controlling multiple cells of the flow through capacitor individually because, for example, the multiple cells are connected via the same cable to the logic means 42. An advantage of the invention of claim 1 may be that peak powers may be avoided if the plurality of cells are controlled by one charge cycle controller arranged to

individually control charging of each of the plurality of cells. See, e.g., page 4, lines 4-12 and page 4, line 23 to page 6, line 3 of the application.

Claims 2-28 and 30-32 depend from claim 1 and therefore are allowable over the cited portions of Andelman for the reasons noted above with respect to claim 1, as well as for the features they recite individually.

For at least these reasons, the rejection of claims 1-28 and 30-32 should be withdrawn.

Claim 29 and 33 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andelman. Applicant traverses.

For reasons set out above, the cited portions of Andelman fail to disclose or teach claim 1.

Claims 29 and 33 depend from claim 1 and therefore are allowable over the cited portions of Andelman for the reasons noted above with respect to claim 1, as well as for the features they recite individually.

For at least these reasons, the rejection of claims 29 and 33 should be withdrawn.

Conclusion

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

If an extension of time is necessary to prevent abandonment of this application, then such an extension of time is hereby petitioned for under 37 C.F.R. §1.136(a). Any fees required (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. **090073-0379336**).

Date: May 28, 2010

Respectfully submitted,

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